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## NOTES AND DISCUSSION.

**Was the Custom of Fasting on Sabbath Afternoon part of the Early Anglo-Jewish Ritual?**

WE may take it as a principle of research into the origin of rites and customs that the custom is earlier than the reason given for it; the institution came before it was connected with any code. It is unscientific to derive any religious ordinance from the Tanna or Amora, who, so far as our sources go, first attempted to support its validity by a Biblical quotation. In the same way it is an undoubtedly false method to fix the period of a later mediæval custom by the date when a discussion about it is first mentioned in literature. It is accordingly *à priori* unjustifiable to connect so striking a custom as fasting on Sabbath afternoons with the name of R. Tam<sup>1</sup> as its originator, because it happens that we learn that he had a discussion on this point with R. Meshullam ben Nathan, of Melun. I call the custom striking, because it is so contradictory to the general character of the Jewish Sabbath, which it is ritually intended, not alone to honour and adorn by spiritual means, but likewise to enjoy in very human fashion by the pleasures of eating and drinking. How comes it then that on this day of joy a period should be fixed in which the enjoyment of meat and drink is sternly forbidden, in other words, custom is opposed to law, a mere habit to Holy Scripture? Both the Talmud (*Pesachim* 105a) and the story told in the Tosaphoth in the name of R. Jacob Tam (*Ibid.*) of the catastrophe which resulted in Lorraine from the neglect of this custom, show that some superstition regarded eating and drinking on Sabbath afternoons as dangerous. The derivation of this custom from the memory of the death of Moses on that day, or from the return of the souls freed from torment on the Sabbath, I regard as later explanations. I would trace it to the prayer, צדקתך צדק, which, as a kind of צדוק הדין, challenged the ingenuity of riddle-readers by its remarkable form, and helped to connect it with the death of Moses and the entrance of condemned souls to their torture.

The more striking the character of this custom, the less the explanation given bears the stamp of historic truth, the more important it is to inquire into what may be called its ritual geography. In so

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<sup>1</sup> V. M. Israel Levi in *Revue des Etudes Juives*, xxvi, 134.

classical a source as the *Machsor Vitry*, Ed. S. Hurwitz, p. 111, we read *ונהנו בצרפת שלא לאכול.....ובני פרוונאצא ונרבונא וספרד אוכלין* i.e., this custom of refraining from food and drink on Sabbath afternoon prevailed in North France, but that Provence, and Narbonne, as well as Spain, were free from the restraint. We are therefore led to think that only the Jews of Germany, Lorraine, and North France preserved this enigmatic custom with that piety of theirs which has so often been characterised as excessive, while Spain, and the Jewish lands in contact with it, knew as little of it as the Gaonim.

Under these circumstances, it becomes of interest to know what position the Jews of England took up with regard to this question. Are we justified in assuming straightway their supposititious dependence on France, and presume they went with the Jews of North France? Or can we credit them with some degree of independence in their ritual life?

Although stigmatised as worthless by a Haham of London, the *Etz Chayim* of Jacob ben Jehuda, of London, enables us to give a decisive answer to this question, for on fol. 230 of that work we read:—

וכן מנחו בני האי לאכול בין מנחה למעריב בשבת אבל בני צרפוט אין אוכלין על כי רת כעס עליהם דבמדרש אית' כל השותה מים בין השמשין כאלו נוזל מתיו קרוביו וכתב רת שפעם אחת אירע בלוטר ובא לידי סכנה ובקושי התירו בערב ט' באב ולכך תקנו לומר צדוק הדין במנח' לזכרון פטירת משה רבינו שמת באות' שעה :

From this notice, which is practically an excerpt from *Tos. Pesach*, f. 105a, we see that the English Jews in this point stood in pronounced opposition to their French brethren. We accordingly observe here the same *independence in ritual matter* that I had occasion to point out in these pages (*JEWISH QUARTERLY REVIEW*, III., pp. 20 seq.) with regard to the phraseology of the prayers.

Perhaps, too, in this connection, reference may again be made to the peculiarity pointed out by me (*Ibid.*, p. 50) in the English ritual with regard to the prayer *צדקתך צדק* in the Sabbath Mincha service, which agrees with the Sephardic rite. Zidkia b. Abraham, in his *שבלי הלכת* (Ed. Buber, p. 98), remarks that the order of the verses of Psalms<sup>1</sup> given in the Spanish and English rites are supported by the *Pesikta*, and can be remembered by the *memoria technica*: ה' אלהים אמת. If one notices that, apart from the testimony, the sequence of the verses in the Psalter supports this order, the question becomes

<sup>1</sup> *V. Pesikta*, Ed. S. Buber, p. xix., where, however, the passage quoted is not referred to.

<sup>2</sup> Comp. Mose Almosnino *למשה תפלה* end.

unavoidable, What was the determining cause why this natural sequence of the Psalm verses was departed from? The suggestion may perhaps be made that the assumption of a formal צדוק הדין in the institutions of reciting these verses of the Psalms was the cause of placing at the head the verse in which the Divine Justice finds the most explicit expression, and thus the whole sequence was modified.

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CORRIGENDA.

Page 596, line 4, for Rumalis *read* Rumahis.

„ „ „ 13, for Schevina *read* Scherira.

„ „ „ 18, for Schemira *read* Scherira.

Note 1, line 2, for Besturi's *read* Berliner's.